



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Starnes
Serial No.: 10/735,094
Filed: 12/11/2003
For: Lancet
Art Unit: 3734
Examiner: Truong

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to a Notification of Non-Compliant Appeal Brief with mail date of 07/02/2009 and indicating that the previously filed appeal brief in this matter failed to identify which claims are involved in the appeal, Appellant submits the attached replacement page.

Please amend the appeal brief by substituting the replacement page 4 for the originally filed page 4.

Respectfully submitted,

Thomas C. Saitta, Reg. No. 32102
Attorney for Applicant

Rogers Towers, P.A.
1301 Riverplace Blvd.
Suite 1500
Jacksonville, FL 32207
904-346-5518
904-396-0663 (fax)

The undersigned certifies that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

7/14/09
Date

Thomas C. Saitta

(3) **Status of Claims:**

Claims 4, 12 and 16 are canceled.

Claims 1-3, 5-11, 13-15 and 17-22 are rejected.

Claims 1-3, 5-11, 13-15 and 17-22 are pending and on appeal herein.